

LABOUR DEPARTMENT

The 26th April, 1971

No. 3974-1Lab-70/12761.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Oriental Industries, Faridabad.

**BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT
HARYANA, ROHTAK**

Reference No. 64 of 1970

between

**SHRI LACHCHI RAM, WORKMAN C/o GENERAL LABOUR UNION, I/K, 16, N. I. T.,
FARIDABAD AND THE MANAGEMENT OF M/s. ORIENTAL INDUSTRIES,
FARIDABAD**

Present :—

Shri H. L. Kapoor, for the workman.

Nemo, for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, has been pleased to refer the following dispute to this Court for adjudication,—*vide* Gazette notification No. ID/FD/64-A/23996, dated 7th August, 1970.

Whether the termination of services of Shri Lachchi Ram was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. It was stated on behalf of the management that the workman concerned had never been in their service. My learned predecessor Shri O. P. Sharma framed the following issues :—

1. Whether Shri Lachchi Ram was a workman under the employment of M/s Oriental Industries, Faridabad. If so; what were the terms and conditions of his service?
2. Whether the termination of services of Shri Lachchi Ram was justified and in order. If not; to what relief is he entitled?

The case was fixed for 10th October, 1970 for the evidence of the parties. Shri Sharma was appointed as Presiding Officer of the Industrial Tribunal, Haryana and so the case could not, therefore, be taken on the date fixed.

Fresh notices were issued to the parties by me to produce their evidence on 12th January, 1971. In the mean time a letter under Registered cover was received from the workman in which it was stated that a compromise had been effected between him and the management and there was no longer any industrial dispute. Shri H. L. Kapoor who appeared on behalf of the workman had no instructions with regard to this compromise. A short adjournment was given to him to obtain the instructions but he could not contact the workman and requested for further time. According the case was adjourned to 19th February, 1971. On the date fixed representative of the workman stated that the wife of the workman was seriously ill and that the workman had also suffered an injury. It may be so but already two adjournments have been granted to the representative of the workman to obtain instructions with regard to the alleged compromise. It was not at all necessary for the workman to appear in person. He has already sent a letter under registered cover intimating that a compromise has been effected with the management and now there is no industrial dispute. All that the representative of the workman was required to do was to get a confirmation from the workman with regard to this compromise. If the representative of the workman had actually contacted the workman he could have easily obtained instructions with regard to the compromise but the representative has no cared to get instructions with regard to the compromise and sought another adjournment. In my opinion, the request for further adjournment was not justified and in view of the letter received from the workman that a compromise has been effected between the parties. I hold that no adjudication of the industrial dispute referred to this Court is necessary. I give my award accordingly. No order as to costs.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Dated 16th April, 1971.

No. 701, dated the 16th April, 1971.

Forwarded to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

The 4th May, 1971

No. 4519-4Lab-70/15146.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Municipal Committee, Yamunanagar.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT
HARYANA, ROHTAK

Reference No. 13 of 1971

between

SHRI DES RAJ, DRIVER, MOHALLA KHUS, H. No. 1764, YAMUNANAGAR AND THE,
MANAGEMENT OF MUNICIPAL COMMITTEE, YAMUNANAGAR

Present.—Shri Madhu Sudan Sharan Cowshish, for the workman.

Shri Subhash Chander, for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, has been pleased to refer the following dispute to this Court for adjudication,—*vide* Gazette notification No. ID/UMB/176-B-70/55891, dated Nil.

Whether the termination of services of Shri Des Raj, Driver, was justified and in order.
If not, to what relief is he entitled?

On receipt of the usual notices were issued to the parties for 9th February, 1971. The case was adjourned to 7th April, 1971. On the date fixed the workmen has made a statement that he had taken back into service by the respondent committee and nothing is due to him. I give my award accordingly. No order as to costs.

Dated : 26th April, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 724, dated Faridabad the 26th April, 1971.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana.
Rohtak.